

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JARRED JARON FELLOWS,

Defendant.

8:10CR372

ORDER

Defendant Jarred Jaron Fellows (Fellows) appeared before the court on September 22, 2014, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 37). Fellows was represented by First Assistant Federal Public Defender Shannon P. O'Connor (FAFPD O'Connor) and the United States was represented by Assistant U.S. Attorney Thomas J. Kangior. Through his counsel, Fellows waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find the Petition alleges probable cause and Fellows should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp. The government moved for detention. Fellows requested a detention hearing. The hearing was scheduled for September 24, 2014.

On September 24, 2014, Fellows appeared with his counsel FAFPD O'Connor and the United States was represented by Assistant U.S. Attorney John E. Higgins. Through counsel, Fellows presented a job seeking log (Exhibit 101). Further Fellows' counsel represented he would live with a fourteen year old girl, continue to seek employment, keep his probation officer advised of his actual residence, and seek mental health and substance abuse treatment. In light of Fellows' criminal history and the circumstances of the alleged violations, the court finds Fellows' proposals to be wholly unconvincing and unfeasible. Since it is Fellows's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Fellows has failed to carry his burden and that Fellows should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th

Plaza, Omaha, Nebraska, **at 9:30 a.m. on November 6, 2014.** Defendant must be present in person.

2. Defendant Jarred Jaron Fellows is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 24th day of September, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge